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7 **UNITED STATES DISTRICT COURT**  
8 **WESTERN DISTRICT OF WASHINGTON**  
9 **AT SEATTLE**

10 UNITED STATES OF AMERICA,

NO. MJ10-161

11 Plaintiff,

12 v.

DETENTION ORDER

13 JAVIER TORRES,

14 Defendant.

15 Offense charged:

16 Count 1: Distribution of Methamphetamine, in violation of 21 U.S.C. §§  
17 841(a)(1), 841(b)(1)(A)

18 Date of Detention Hearing: April 8, 2010

19 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
20 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 22 (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that  
23 defendant is a flight risk and a danger to the community based on the nature of  
24 the pending charges. Application of the presumption is appropriate in this case.
- 25 (2) An immigration detainer has been placed on defendant by the United States  
26 Immigration and Customs Enforcement.

- 1 (3) Defendant has stipulated to detention, but reserves the right to contest his  
2 continued detention if there is a change in circumstances.
- 3 (4) There are no conditions or combination of conditions other than detention that  
4 will reasonably assure the appearance of defendant as required or ensure the  
5 safety of the community.

6 IT IS THEREFORE ORDERED:

- 7 (1) Defendant shall be detained and shall be committed to the custody of the  
8 Attorney General for confinement in a correction facility separate, to the extent  
9 practicable, from persons awaiting or serving sentences or being held in custody  
10 pending appeal;
- 11 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
12 counsel;
- 13 (3) On order of a court of the United States or on request of an attorney for the  
14 government, the person in charge of the corrections facility in which defendant  
15 is confined shall deliver the defendant to a United States Marshal for the  
16 purpose of an appearance in connection with a court proceeding; and
- 17 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
18 counsel for the defendant, to the United States Marshal, and to the United States  
19 Pretrial Services Officer.

20 DATED this 8th day of April, 2010.

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23 JAMES P. DONOHUE  
24 United States Magistrate Judge  
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